

Message Text

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ACTION EB-11

INFO OCT-01 IO-14 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 OIC-04 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00

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PA-04 AID-20 CIEP-02 SS-20 STR-08 TAR-02 TRSE-00

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FM USMISSION GENEVA

TO SECSTATE WASHDC 2719

INFO AMEMBASSY BERN

AMEMBASSY HELSINKI

AMEMBASSY LISBON

AMEMBASSY OSLO

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

AMEMBASSY VIENNA

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E.O.11652 NA

TAGS ETRD EFTA

SUBJ RULES OF ORIGIN

REF STATE 228219(NOTAL)

1. DISCREET INQUIRIES TO SELECTED EFTA COUNTRY DELEGATIONS
HERE SUGGEST REPORT OF AD HOC GROUP CITED REFTL
EITHER DOES NOT EXIST OR (MORE LIKELY) IT IS BEING CLOSELY
HELD WITHIN EFTA CIRCLES TO MINIMIZE RISK OF PREJUDICING
EC ACCEPTANCE OF CHANGES IN RULES OF ORIGIN (R/O) DESIRED
BY PRIVATE SECTOR EFTA INTERESTS.

2. AFTER FIRST APPROACHING WITHOUT SUCCESS POTENTIAL
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SOURCES AMONG EFTA DELEGATIONS WE CONSIDERED MOST PROMISING,

WE ASKED EFTA ASST SEC GEN SOMMARUGA (SWITZ) IF REPORT PUBLICLY AVAILABLE. HE SAID AD HOC GROUP (WHICH HE STRESSED WAS COMPRISED OF EXPERTS NOMINATED BY PRIVATE SECTOR INDUSTRIAL AND TRADE UNION ASSOCIATIONS) HAD PRESENTED ONLY AN INTERIM ORAL REPORT TO CONSULTATIVE COMMITTEE OCT 18-19 BUT THEN GAVE US FOLLOWING DETAILED OUTLINE OF TOPICS COVERED BY "ORAL" REPORT.

A. SIMPLIFICATION OF ADMINISTRATION OF R/O

(A) CASES INVOLVING RE-EXPORT IN THE SAME STATE OF PROCESSING:

- (1) APPLICATION OF ARTICLE 8:3 OF PROTOCOL 3 OF FTAS;
- (2) APPLICABILITY OF EXPLANATORY NOTE 8 TO ARTICLE 10 OF PROTOCOL 3.
- (3) APPLICATION OF EXPLANATORY NOTE 7 TO ARTICLE 8 OF PROTOCOL 3.

(B) CASES INVOLVING MOVEMENT CERTIFICATES PREVIOUSLY ISSUED: REFERENCE ARTICLE 10:2 OF PROTOCOL 3 AND ARTICLE 8:1 OF DECISION NUMBER 3 OF JOINT COMMITTEE.

(C) DOCUMENTATION

- (1) CERTIFICATION BY CUSTOMS AUTHORITIES UPON EXPORTATION OF GOODS
 - (2) MOVEMENT CERTIFICATE EUR #1
 - (3) MOVEMENT CERTIFICATE EUR #2
- (D) APPLICATION OF ARTICLE 8:2 OF DECISION NUMBER 3 OF JOINT COMMITTEE.

B. CHANGES IN SUBSTANCE OF RULES OF ORIGIN

(A) INTRODUCTION OF AN ALTERNATIVE PERCENTAGE ORIGIN CRITERIA

(B) DIAGONAL CUMULATION

C. REGIONAL PROBLEMS CONCERNING ARTICLE 25 OF PROTOCOL 3.

3. SOMMARUGA VOLUNTEERED FOLLOWING OBSERVATIONS. LIST OF TOPICS RAISED BY AD HOC GROUP UNDER POINT A SHOWS PREOCCUPATION WITH ADMINISTRATIVE SIMPLICATION AND NEED FOR COMMON INTERPRETATION OF CERTAIN CASES. SOMMARUGA EXPRESSED CONFIDENCE THAT THREE POINTS MENTIONED UNDER A(A) WILL ALL BE SETTLED SOON. COMMON EUR CERTIFICATE #1 (POINT A(C) (2) EXPECTED TO BE INTRODUCED JAN. 1. EUR CERTIFICATE #2 EXISTS BUT PRIVATE SECTOR WANTS VALUE LIMITS RAISED. SOMMARUGA SAID POINT C CONCERNS ONLY PROBLEMS OF TRANSITIONAL PERIOD OF FTAS AND WILL EVENTUALLY DISAPPEAR. HE WAS MORE CAUTIOUS ABOUT POINT B BUT ACKNOWLEDGED EFTA PRIVATE SECTOR CONTINUES TO PREFER RETURN TO PREVIOUS EFTA R/O SYSTEM.

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4. WE INTERPRET SOMMARUGA'S FORECAST OF EARLY AGREEMENT ON DOCUMENTATION AND INTERPRETATIVE CASES UNDER PRESENT R/O IN CONTRAST TO HIS COMMENT ON PART B OF AD HOC GROUP REPORT AS INDICATION EFTA SECRETARIAT DOES NOT HOLD OUT MUCH HOPE EC CAN BE PREVAILED UPON TO RESURRECT EFTA R/O SYSTEM. MILLER

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